

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

AECON BUILDINGS, INC.,

Plaintiff,

v.

ZURICH NORTH AMERICA, et al.,

Defendants.

Case No. C07-832MJP

ORDER AWARDING FEES

On April 25, 2008, the Court issued two separate orders granting in part Plaintiff's motion to compel discovery from the Hartford Defendants and motion to compel discovery from the Zurich Defendants. (Dkt. Nos. 68 & 69.) The Court also awarded Plaintiff fees on both motions and directed Plaintiff to provide a declaration outlining the fees and costs incurred in bringing those motions. Plaintiff has provided those declarations (Dkt. Nos. 77 & 78) and the Hartford and Zurich Defendants have both responded (Dkt. Nos. 88 & 89.) Having considered all the relevant materials, the Court ORDERS as follows:

1) Plaintiff has requested a \$155 attorney hourly rate to be used in the fee calculation. That amount is a reasonable hourly rate for attorneys in Seattle, WA;

2) In terms of the motion related to the Hartford Defendants, Plaintiff requests reimbursement for 27.6 hours of attorney time. This is an excessive number of hours for a routine motion to compel. In addition, some of the work on this motion necessarily overlapped with work on the other motion. And Plaintiff was only partially successful on the motion. Plaintiff requests fees for time spent by two attorneys but a single attorney should be able to accomplish this task in about ten hours. The Court will only award fees for ten hours of attorney work on

1 this motion.

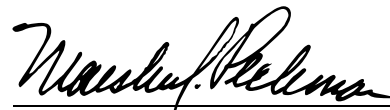
2 3) In terms of the motion related to the Zurich Defendants, Plaintiff requests  
3 reimbursement for 28 hours of attorney time. This is an excessive number of hours for a routine  
4 motion to compel. In addition, some of the work on this motion necessarily overlapped with  
5 work on the other motion. And Plaintiff was only partially successful on the motion. Moreover,  
6 Plaintiff requests fees for three separate attorneys but a single attorney should have been able to  
7 accomplish this task in about ten hours. The Court will only award fees for ten hours of attorney  
8 work on this motion.

9 4) The Court will not award any fees for paralegal work on these motions. These amounts  
10 should be absorbed in the attorneys' hourly fees.

11 The Court therefore awards \$1,550 on the motion relating to the Hartford Defendants and  
12 \$1,550 on the motion relating to the Zurich Defendants. Defendants shall make their payments to  
13 Plaintiff within ten (10) calendar days of the date of this order.

14 The clerk is directed to send copies of this order to all counsel of record.

15 Dated: May 30, 2008.

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18 Marsha J. Pechman  
19 United States District Judge  
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